

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Criminal No. 19-CR-20701

v.

Honorable Robert H. Cleland

HICHAM MOUSSA SAAD,

Defendant.

SARA SERRIEH,

Petitioner.

/

**VERIFIED PETITION OF SARA SERRIEH TO
ADJUDICATE THE VALIDITY OF HER INTEREST IN ASSETS**

NOW COMES Petitioner, Sara Serrieh, by and through her attorney, Jorin G. Rubin for her Petition to Adjudicate the Validity of Her Interest in Assets and states the following upon information and belief:

1. Sara Serrieh is the owner of Six Thousand Five Hundred dollars (\$6,500), one iPhone XS and MAC 27 inch desk top computer (hereinafter the “Subject Assets”).

2. The \$6,500 was seized from Petitioner’s home on October 15, 2018. Petitioner saved these funds over several years and is the owner of them. They do not belong to her husband, the Defendant, Hicham Saad.

3. The iPhone XS was Petitioner's personal cell phone and was seized from her on October 15, 2018.

4. The MAC 27-inch desk top computer is owned by Petitioner and was used by her children in the home. The computer was seized on October 15, 2018.

5. In an ancillary proceeding in a criminal forfeiture case, a third-party petitioner must first establish a legal interest in a particular asset. 21 U.S.C. § 853(n)(2) and the petitioner's "legal interest" in the property at issue is determined by state law. 21 U.S.C. § 853(n)(2).

6. Petitioner has a valid title to the \$6,500, the iPhone and MAC computer, and has a separate and distinct legal right to the property that vested in her alone. 21 U.S.C. § 853(n)(6)(A). *See also United States v. Campos*, 859 F.2d 1233, 1236 (6th Cir. 1988).

7. Based on her superior interest to the Subject Assets, Petitioner's interest prohibits their forfeiture.

8. Pursuant to 21 U.S.C. 853(n)(6)(A) and (B), Petitioner has a legal right, title and/or interest recognized by law that is superior to that of the government at the time the alleged commission of the acts occurred which gave rise to this forfeiture and is a bona fide owner of the Subject Assets.

WHEREFORE, Petitioner, Sara Serrieh, seeks to have her interest in the Subject Assets adjudicated by the Courts.

I declare, under penalty of perjury, that the facts contained in this Petition are true to the best of my ability and information.


Sara Serrieh

Respectfully submitted,

/s/ Jorin G. Rubin
Jorin G. Rubin (P60867)
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Dated: January 8, 2021

CERTIFICATE OF SERVICE

I hereby certify that on January 8, 2021, I electronically filed the foregoing pleading with the Clerk of Court using the ECF system, which will send notification of such filings to all ECF participants.

By: */s/Jorin G. Rubin*
Jorin G. Rubin